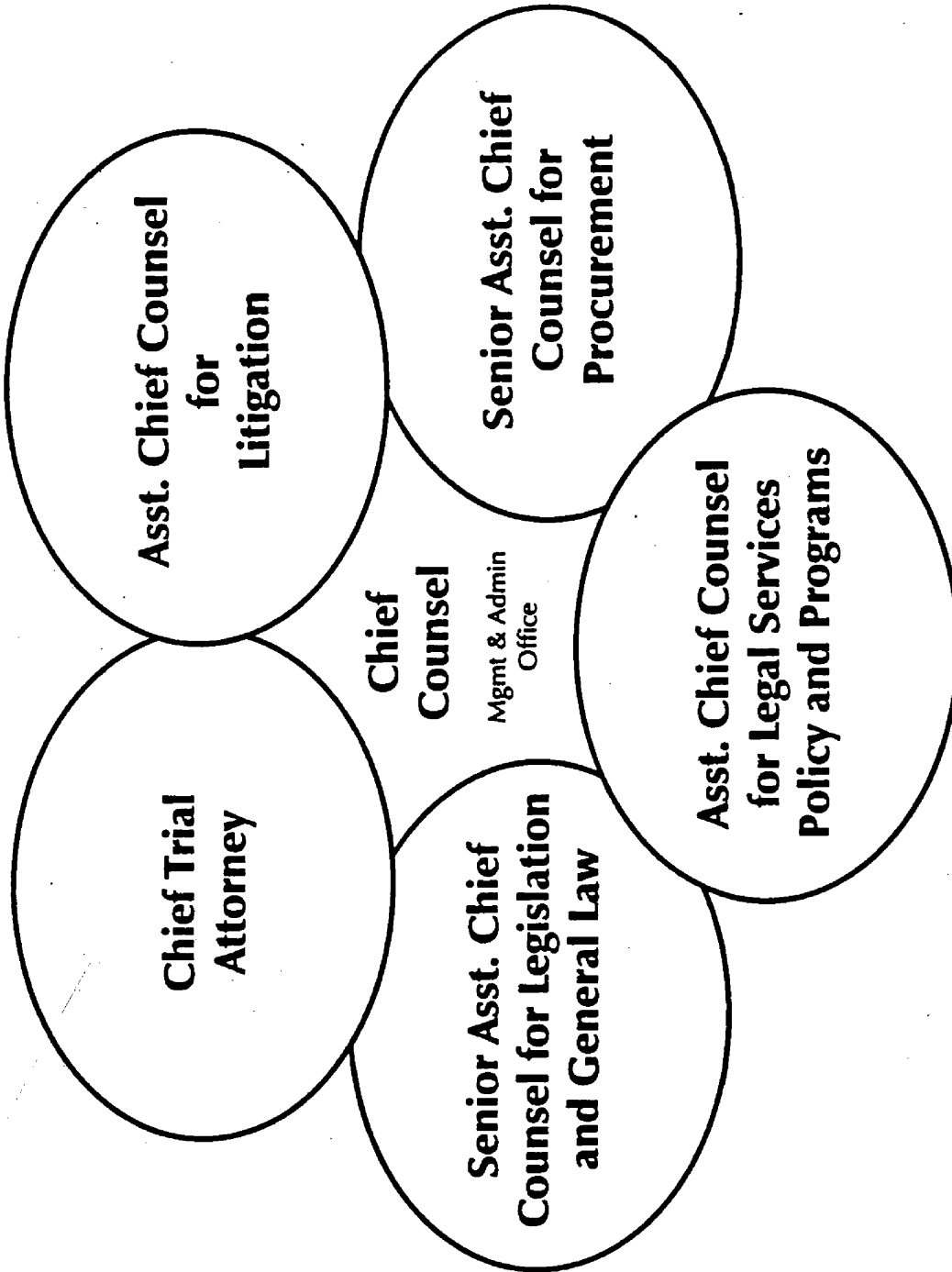


# Office of the Chief Counsel\*



\* The Office of the Chief Counsel has a flat, matrix organization.

OFFICE OF THE CHIEF COUNSEL

Mission

To provide legal services in support of USACE activities and to exercise professional supervision over legal services provided by USACE attorneys.

OFFICE OF THE CHIEF COUNSEL  
Functions

1. Serves as principal legal advisor to the Commander, USACE and the Chief of Engineers.
2. Serves as senior policy advisor to the Commander, USACE and the Chief of Engineers.
3. Manages the USACE legal services system, including the attorney career management program.
4. Exercises full and final responsibility for rendering legal advice, opinions and decisions regarding all functions of USACE.

SENIOR ASSISTANT CHIEF COUNSEL FOR LEGISLATION AND GENERAL LAW  
Functions

1. Serves as legal advisor on need for new legislative authorities; prepares proposals for submission to Congress; prepares and presents Department of the Army position on legislative proposals of others.
2. Serves as legal advisor on the interpretation of general laws and specific civil works project authorities affecting the Corps of Engineers. Advises on Federal, State, and individual rights and responsibilities concerning water laws and rights, law enforcement at USACE projects, outdoor recreation, fish and wildlife, hydropower, and international activities.
3. Serves as legal advisor on the interpretation of military authorities and specific military construction project activities affecting the Corps of Engineers.
4. Serves as legal advisor on Environmental and Regulatory matters.
5. Serves as legal advisor on Local Cooperation Agreements.
6. Serves as legal advisor on fiscal laws.

7. Serves as legal advisor on the international activities of the Corps of Engineers.
8. Serves as as legal advisor on Base Realignment and Closure Program.
9. Serves as legal advisor concerning mobilization preparedness and exercise of emergency authorities.

ASSISTANT CHIEF COUNSEL FOR PROCUREMENT  
Functions

1. Serves as principal legal advisor on procurement law.
2. Serves as legal advisor concerning the solicitation, award, administration and termination of all types of contracts relating to the military and civil works programs of USACE. Also advises on all legal matters relating to Third Party Contracting and foreign military sales.
3. Serves as legal advisor on all issues related to support of the Defense Environmental Restoration Program, the EPA "Superfund" Toxic and Hazardous Waste Cleanup Program, and the Department of Energy Environmental Restoration and Waste Management Program. Directs the handling of all pre-litigation settlement negotiations related to USACE responsibilities under the Comprehensive Environmental Response Compensation and Liability Act and the Resource Conservation and Recovery Act.
4. Serves as legal advisor on all General Accounting Office and General Services Board of Contract Appeals bid protests and mistake-in-bid cases.
5. Serves as legal advisor concerning debarment and suspension of contractors, standards of conduct, fraud and related matters.
6. Supervises the Contractor Industrial Relations Program within USACE.

ASSISTANT CHIEF COUNSEL FOR LITIGATION  
Functions

1. Directs the handling of all lawsuits brought by or against the U.S. arising from USACE activities (except Contract Disputes Act cases in the Claims Court). This includes environmental, regulatory, tort, admiralty, contract, water rights, personnel, Superfund, and inverse condemnation cases. Serves as legal advisor concerning all matters in litigation.
2. Serves as legal advisor on all administrative tort and admiralty claims.
3. Serves as legal advisor concerning the Freedom of Information Act and Privacy Act programs.
4. Serves as legal advisor concerning the Civil Penalties Program for violations of the Clean Water Act.

CHIEF TRIAL ATTORNEY  
Functions

1. Supervises all USACE trial attorneys in defense of the Federal Government on contract disputes, and reviews all of their pleadings, motions, and briefs presented for hearings before the Corps of Engineers Board of Contract Appeals, the Armed Services Board of Contract Appeals, the U.S. Claims Court, and the U.S. Court of Appeals for the Federal Circuit.
2. Acts as trial attorney, on direction of the Chief Counsel, in significant or precedent setting cases.
3. Serves as legal advisor on personnel and Equal Employment Opportunity law; develops policy for all USACE labor counselors for the preparation and presentation of cases before the Federal Labor Relations Authority, Merit Systems Protection Board, and Equal Employment Opportunity Commission.

ASSISTANT CHIEF COUNSEL FOR LEGAL SERVICES POLICY AND PROGRAMS  
Functions

1. Develops legal services plans, programs and policies.
2. Advises on the USACE attorney career management program.
3. Maintains liaison with the Chief Counsel's standing committees in the field.
4. Performs special projects as directed by the Chief Counsel.

MANAGEMENT AND ADMINISTRATION OFFICE  
Functions

1. Provides administrative services and management guidance on manpower, budget, automation and performance management to the Office of the Chief Counsel.
2. Provides technical advice and assistance on requirements applicable to excepted service personnel actions affecting civilian attorneys, law clerks, and legal interns throughout USACE.